

# **DELAWARE CRIMINAL BACKGROUND AND CHILD PROTECTION REGISTRY CHECKS TASK FORCE**

**November 20, 2014**

**9:00 a.m.**

**Senate Hearing Room, 2<sup>nd</sup> Floor, Legislative Hall, Dover, DE  
MEETING MINUTES**

## **In Attendance:**

The Honorable Stephanie Bolden, Representative  
Tania Culley, Office of the Child Advocate  
Karen DeRasmo, Prevent Child Abuse Delaware  
Brendan Kennealey, DAIS  
Ellen Levin, Child Protection Accountability Commission  
Patricia Dailey Lewis, Department of Justice  
David Mangler, Department of State  
Jim Purcell, Communities in Schools of Delaware  
Jennifer Ranji, Dept. of Services for Children, Youth and Their Families (Chair)  
Angeline Rivello, Department of Education  
Robert Scoglietti, Office of Management and Budget  
Wayne Smith, Delaware Healthcare Association

## **Members of the Public:**

Heather Contant, Legislative Aid for the Honorable Ernesto Lopez, Senate  
Beverly Flannigan, Legislative Aid for the Honorable Karen Peterson, Senate  
Patricia Justice, Dept. of Health and Social Services  
Jon Neubauton, Department of Education  
Lisa Robinson, Superior Court  
Cara Sawyer, Dept. of Services for Children, Youth and Their Families  
Kelly Schaffer, Dept. of Services for Children, Youth and Their Families (consultant)

## **1. Welcome and Introductions**

Secretary Ranji welcomed the group to the meeting. Today we will continue to work through recommendations and after the meeting we will continue to update the draft Task Force report.

At the next meeting we will have a final report to review and revise. However, if we don't get through recommendations today then we will do that at the next meeting. In that case we may have to do review of the final report by e-mail.

## **2. Report Outs**

There are no report outs at today's meeting.

## **3. Overview and Input on Draft Task Force Report Frame**

Secretary Ranji shared a draft outline of the final report with the Task Force and provided an overview of the format – introduction, Task Force members, background information, recommendations and conclusion as well as appendices. Appendices will also include the meeting minutes. Bert Scoglietti made a suggestion to include a copy of the executive order in the final Task Force report. Secretary Ranji stated that people could take time to review the draft after the meeting and let us know if they have feedback.

## **4. Continued Discussion of Task Force Recommendations**

An updated document summarizing possible Task Force recommendations was distributed. The first item discussed was background record checks for summer camps and private schools. Secretary Ranji reminded the group that at the last meeting we had a follow up item to determine a definition for summer camps. A definition that was come up with previously was any person, association, agency or organization that has in custody or control one or more children unattended by a parent or guardian, for the purpose of providing a program of recreational, athletic, educational and/or religious instruction or guidance, with or without compensation. Camps operate 1-12 weeks during the months of May through September or during holiday breaks. The definition also describes that camps operate in a space or at a location other than a space or location subject to licensing. The term “youth camp” is used. A Task Force member questioned 1-12 weeks as the length of time for a camp. Some camps are only a few days, and she suggested we could say “up to 12 weeks.” Secretary Ranji noted we would need to vote on the change of “up to 12 weeks.” A motion was made and seconded and all voted in favor to

make the change for up to 12 weeks. We now have background checks being required and a definition for camps.

Secretary Ranji stated that for private schools we voted on requiring checks for private schools or they have to inform parents they are not doing checks. Tania Culley asked how we are defining background checks. Secretary Ranji suggested we have that discussion once and then determine to whom the checks apply. We have a menu of options to consider and it may not make sense to talk about them in the context of only one requirement.

For recommendation 2, prohibitions, Secretary Ranji stated we agreed to establish baseline prohibitions for individuals with direct access to children, though we did not vote on what those prohibitions are. She described what was come up with as a starting point. Individuals who are at level 3 or 4 on the Child Protection Registry would be prohibited from working with kids. Level 2 is reported out for 3 years. Secretary Ranji reminded the group you can get on the registry through civil substantiation or via conviction of certain criminal convictions. For this we need to have some context for what goes on at levels 2, 3, and 4. Cara Sawyer responded that level 4 is the most serious crimes. There may be some differences for age of the child. Level 2 would be less serious than level 4. Level 4 would be a serious child abuse offense. On the civil side it could also be child abuse that was never found criminally. Ms. Sawyer said the current prohibitions are on the document, for example lifetime for level 4. Secretary Ranji stated in this case we recommend putting into place a baseline prohibition that currently exists. The next category is conviction of a felony, and there is a list of felonies that would be included. There was a question at the last meeting as to whether there are some felonies we may not want to include. We split it out for physical and sexual assault. For other felonies it would be a 7-year prohibitions and the hiring agency could add to that if desired. For non-felony offenses against

children there would be a 5-year prohibition following conviction. David Mangler stated for healthcare there is a barred list and it is a 5-year prohibition for others. A Task Force member asked if juveniles are included. Secretary Ranji responded they're included if its outside a certain age range. Angeline Rivello asked if we would want to add the baseline prohibitions to all titles or have it listed in one spot. Secretary Ranji responded that ideally the baseline would be in one spot and then others could add to that if they want.

Ms. Sawyer stated that the summary of prohibitions isn't broken down by misdemeanor because it isn't in code that way. When creating the summary we mirrored how code is written. Ms. Sawyer said that assault level 3, endangering the welfare of a child, might be in level 3 of the registry. Secretary Ranji responded that it may be inconsistent but we could add language that indicates if there are two prohibitions then the more severe prohibition applies. She asked how the Task Force feels about a 5-year prohibition for non-felony offenses against children. Ms. Rivello said it should not be less than 5 years and this will be better than what we have, since we don't have anything currently. Representative Bolden asked if its necessary to spell out job related duties to determine the relevance of other crimes. Secretary Ranji said we might not be able to spell all of them out. We are trying to apply this broadly and give agencies the flexibility to add prohibitions depending on what is relevant to the prohibitions. We would encourage it be done through a regulatory process. Mr. Mangler said they have a list of crimes substantially related to each profession for healthcare. They don't differentiate between adults and children. Secretary Ranji said there is some flexibility in terms of determining what is substantially related. Mr. Mangler responded that each had to define what is substantially related so that it's on the list. The list is in regulations for each profession. Secretary Ranji said a question is do we want to say the list has to be done by regulation so there's opportunity for

public review. Mr. Mangler asked if these would be applied to jobs, work and registration of licensure. Secretary Ranji said it would apply to jobs and work. Mr. Mangler said then someone could be licensed but then they may not be able to work. Ms. Rivello said they would have the same issue for education. One consideration was alignment with licensure and she noted their thought is they would clarify to make sure prohibitions align to licensure. Ms. Rivello noted that's why she asked where it would appear. Right now there are other felonies that prevent someone from getting a license that are more expansive than this list. Secretary Ranji added we would recommend a crosswalk with licensing since there wasn't enough time for the Task Force to do that analysis.

Secretary Ranji recapped that for non-felony offenses against children we are saying minimum of 5 years prohibition. Patricia Dailey Lewis asked if there are some felonies that are level 3 on the registry. Secretary Ranji said that's what we're thinking and that's why we'll say the higher prohibition will apply.

Related to offenses against children, there was a question about a lifetime ban for DSCYF employees, child care, foster and adoptive, school employees, charter school board members, and student teachers. All of those individuals appear to have a lifetime prohibition of any offense against a child. Secretary Ranji noted we would take more time to look at that so that we are clear about what we're changing for non-felony offenses against children. The group will not vote at this meeting and will come back to the question at the next meeting.

The last item is other crimes as relevant to position or job-related duties. Secretary Ranji asked the group if we want to require those relevant crimes be set forth through the regulatory process. The Task Force agreed. Ms. Culley asked if the regulatory process would get around school districts having different criteria. Ms. Rivello responded that DOE doesn't do it by

regulation right now; it's all by code. Licensure is further flushed out in regulations and they have a professional standards board. Right now code says "may," so if these recommendations change that then DOE would have to update the code to "shall." She said she thinks public school districts would appreciate more direction. Ms. Culley responded that certain level drug offenses are at the discretion at the school district and asked if there was a way to have the same requirements. Ms. Rivello responded those are misdemeanors. Right now there isn't even consistency with felonies. Secretary Ranji stated all other felonies, including drug crimes, would be 5 year prohibitions. The issue is we may want to call it out to be clearer. Part of the recommendation would be changing "may" to "shall" and then DOE could add to it like everyone else. In that case any additions would be done via regulation or statute through DOE.

In 2.1.1 we need to come back with more information about levels in the registry and more information about non-felony offenses against children in terms of what that would change versus what's there now. Voted on 2.1.1 with the exception of those two pieces. Wayne Smith asked if it would always be a lifetime prohibition for felony level assault. He provided an example of an 18 year old who was in a bar fight and charged with a felony. Secretary Ranji responded yes, it would be a lifetime prohibition if it were a felony physical assault. Ms. Dailey Lewis suggested the person in the example could get it expunged. A Task Force member added that the felony would also have detail of the victim. There are certain levels of felonies that may also depend on whom it was against. David Mangler responded if this were applied to licensure, the various healthcare statutes would have separate statutes; one for 5 years for adults and one for 7 years for children. Right now healthcare has a provision for any felony conviction for more than 5 years and the person may not be on parole. Secretary Ranji responded that this would override that to set the baseline and say nothing below this is sufficient if working with children.

Mr. Mangler said without professionals knowing who they would work with when they graduate – for example nurses – then it would be difficult to determine if they fall into the 7 or 5 year prohibition. Secretary Ranji responded that this is separate from licensure, as it will apply at the time the person gets a job. This isn't saying they can't get licensed. If they try to get a job working with children then this would apply. Whatever we do here we need to be comfortable with as a baseline. A Task Force member responded that it could be an 18 and 17 year old in a fight. Ms. Rivello responded that when she worked as the human resources director at Red Clay they would have a lot come back and would have people come in to explain certain charges. She added she couldn't think of an instance where someone was convicted of a violent felony as he described. A Task Force member added that in Superior or Family Court it doesn't matter. Some cases are based on status of the victim. Ms. Culley stated that assault 1<sup>st</sup> and 2<sup>nd</sup> where the victim is a child is a lifetime ban. She asked if a lifetime ban would apply to a 19 year old with assault against an 18 year old where both are adults. Mr. Smith responded that a lifetime ban is forever and people make mistakes; he thinks we are being overly broad. Mr. Smith added he thinks we could have exceptions carved out. Secretary Ranji said that a lifetime ban is significant, as is crime against child. We would be saying we couldn't take the risk if a person has been convicted of lifetime prohibitions. Representative Bolden asked what would happen if the person got a pardon. Secretary Ranji responded that if the person gets a pardon then it would not apply. It is a process to get a pardon but it does happen.

Mr. Smith proposed that some felonies might not be lifetime. It could be a number of years instead, or there could be a process to have the lifetime prohibition lifted. Ms. Dailey Lewis responded that the process would be a pardon and she noted they tell people often about requesting a pardon and how to do it. Secretary Ranji suggested putting something into law.

Ms. Dailey Lewis responded that she wouldn't want to see a separate process for certain felons in one case versus another. Secretary Ranji stated that whatever it is it will be a process and you may lose some time. She asked the group if we are comfortable with this broad range of prohibitions. She asked Mr. Smith if any felony should not be a lifetime and how that would be sliced. Mr. Smith responded that for statutory rape they did a certain number of years, 10. He noted it seems like we are being overly broad for not allowing for people who may have had an instance in their youth that doesn't impact their ability to work with children. Secretary Ranji reminded the group we will also be talking about an exception for juveniles. Ms. Culley said there are built in ways for juveniles to get off the registry. A Task Force member noted that most people don't know about pardons, but if they wanted to do it they would find a way. Ms. Dailey Lewis said some little leagues do checks. Mr. Smith said he thought they would be in the youth camp definition. Secretary Ranji said we might need to add a certain number of hours per day to the camp definition. The definition of camps pulls in a lot of organizations. Ms. Dailey Lewis responded we see a lot of kids victimized in those settings.

Mr. Smith provided the example that he is in the process of contracting with someone to tutor his child over Christmas break. The way he reads the camp definition then this would apply. Secretary Ranji asked if setting a minimum number of hours per day would help make sure an hour or two tutoring or the little league type examples do not apply. Mr. Smith provided another example of sending kids to the batting cages. Ms. Culley suggested we still build the requirements in a way to have voluntary checks available. It's in the registry statute right now. Whatever we don't capture as mandatory then we can make discretionary. Secretary Ranji suggested a 4-hour minimum per day for the definition of camps. This may effect shorter camps that are three hours. Representative Bolden noted she said doesn't want the group to get away



from its purpose. People are looking for ways to get into positions to take advantage of children. In minority communities, low-income families are thinking where they're putting kids is safe. She noted she wants to make sure we stay on track and not make it easy for those perpetrators. Ms. Dailey Lewis responded that she doesn't have a problem with little leagues or boy scouts or girl scouts being subject to these requirements. She noted she thinks people trust these organizations and in some cases it ends up causing lifetime damage to children.

Secretary Ranji stated that licensing regulations are only for those with compensation. Right now you can watch kids all day without compensation and you don't have to be licensed or get a background record check. She asked if we removed the "without compensation" piece, if that would help. Ms. Culley responded that at a minimum it would fix the tutor for an hour a week. Ms. Dailey Lewis stated that little leagues already require checks. Mr. Smith provided examples of batting cages and stressed the importance of people's freedom to associate. He said there are some examples of issues with coaches who were licensed by DOE and with background checks. Secretary Ranji stated that if we don't set a minimum then we would be talking about babysitters and tutors. A Task Force member asked if there could be an exemption if the parent is choosing to not pursue a check; for example, hiring a tutor or babysitter. A Task Force member asked how this would be different from a summer camp. Secretary Ranji said if the distinction is the parent choosing then she's not sure if we could distinguish. Brendan Kennealey said what if there is more than one employee; that might help get at the organization rather than individual. A Task Force member suggested we could say it doesn't apply to individuals not associated with an organization. Secretary Ranji stated we would try to draft something and bring it back to the group for consideration.

Next, the group went back to discussing lifetime prohibitions for a felony. Secretary Ranji

confirmed the lifetime prohibition would apply for felonies for against a victim, unless we want to do an exemption for a certain number of years. For other felonies would we could say 10 or 15 years. We could also say you have to get a pardon. Then all other felonies are 7 years. Ms. Dailey Lewis said physical assault 2 is causing serious physical injury to a person. Secretary Ranji said we could think about a couple of options and come back with something for the group to consider. A Task Force member noted it's difficult when there are categories of offenses. They can be so different from one person to another and there is a wide variety of what comes through. Discretion isn't the answer either because then each school board is making decisions. Secretary Ranji said we're either not comfortable with discretion or we're not comfortable with there always being a line. She added we would think about options and then do a vote at the next meeting. A Task Force member confirmed if we are just concerned with lifetime prohibition. Ms. Culley raised the example of vehicular assault. Ms. Sawyer asked if it should be grouped in. Mr. Scoglietti asked if there is a current prohibition for assault 2<sup>nd</sup>. Ms. Culley responded that if the victim is a child then yes. Secretary Ranji added that if the victim is not a child then its 5 years. Mr. Smith asked if part of the solution might be to include as part of communications that people have access to pardons. Then the citizen will know. Education could be part of the solution. Ms. Dailey Lewis agreed and noted she doesn't have a problem with individuals requesting a pardon. She agreed there are people who made terrible mistakes, but they can also know there is a way to get out of it. Ms. Rivello stated that all of the things listed here for educators are a mandatory suspension if you are charged. The list is longer, but everything here is included. If a person is convicted then it's a mandatory revocation of their license. If a license is revoked it is lifetime.

Next, Secretary Ranji reminded the group we voted at the last meeting requesting CPAC to

consider the feasibility of a civil substantiation registry for extra-familial members.

For recommendation 2.3 the question is should we request that SBI create a mechanism that will allow for background record check reports to indicate if the child was a victim. Ms. Sawyer responded that's what the investigation coordinator says and she reached out to Peggy Bell to find out more. Secretary Ranji suggested we make the recommendation that if it doesn't exist then we recommend a mechanism be created so we can see if the crime is against a minor. A motion was made and seconded. Everyone voted in favor.

Secretary Ranji moved to recommendation 2.4, which asks should we require that when an offender is a minor and has been convicted of a crime against another minor there are parameters that help define relevant prohibitions. Ms. Sawyer stated if a person was convicted as a minor for these sex crimes then they would be prohibited for serving with direct access to children. Then for any other crime the 4-year age difference would apply. Ms. Culley asked how the registry mechanism applies and if we could build that into this. Secretary Ranji responded that only applies to the registry. Whether they get off the registry or not the prohibitions will still exist. Ms. Culley responded that if a youth was convicted and goes to Family Court to be removed from registry then the prohibition could also lift. This could use a system that already provides judicial oversight. A Task Force member said there are certain exceptions for juveniles on the sex offender registry as well. Ms. Culley said if we use those systems that may be a better protector. Secretary Ranji stated we would come back to the group with language on that recommendation.

Baseline background checks were next discussed. Starting with recommendation 3.1 is where background check options are listed. Secretary Ranji said there are various ways in which they can be done. 3.1 is what we did last summer for camps; DELJIS performs a name-based

check and we do a Child Protection Registry check. Last summer we did that at no charge and about 700 checks were run. This doesn't require fingerprinting; on a plus side individuals don't have to deal with that challenge, but a potential downside is discomfort with using other forms of ID or not getting fingerprinting. This also does not allow for out of state background checks. 3.1 is just DELJIS, 3.2 is DELJIS plus the Child Protection Registry (CPR). 3.3. is DELJIS, CPR and use of a vendor for out of state checks. Third party checks are estimated at \$26, and a CPR check on top of that would be \$20. The next option would be background checks including fingerprinting along with a CPR check, and employers could add other checks. 3.5 is the same, except also allow the use of private third party background checks in lieu of fingerprinting for state and federal (but still require CPR). Jim Purcell said there's no mention of rap back or rechecks. Secretary Ranji stated we could look at that. Mr. Purcell stated his organization is looking at a policy for re-checks every 3-4 years. Secretary Ranji said the thing with rap back is unless you go in and take that person out then you will get updates on them forever. DSCYF has that challenge with OCCL receiving thousands of updates. Mr. Smith said looking at 3.5.1 he wondered if employers could always ask for more. Ms. Culley said when she began this process she thought it would be fingerprinting, but if we are hearing from Peggy Bell that 3.3 works then that may not be a bad option. Permitting flexibility for additional checks could also be pulled up and we can leave flexibility for people to add an option for fingerprinting. Mr. Purcell said most non-profit providers are also doing that. If you're a mentor in schools you'll get a multi-state check, but also extensive training on what to do. Secretary Ranji added that the way fingerprinting works now it is hard to get it done. There can be long waits for appointments or people have to travel to Dover. There is also an option to use a private vendor. If we consider recommendation 3.3 then we will circle back and talk with SBI, because this would drastically

change the way its been done for years. She suggested we make sure to hear from them before voting. Ms. Sawyer cautioned that Peggy was only talking about crimes in Delaware. When we talked with her about third party for out of state she doesn't have that same level of comfort. Ms. Culley said if DELJIS is doing the identification piece then are we comfortable with out of state. Secretary Ranji said we would circle back with SBI to see if they want to be here for this discussion. One thing we can do is make it different for different entities – for example, camps or others. A Task Force member responded that we could require name-based checks and then permit flexibility for fingerprinting. Secretary Ranji said we could make that recommendation and then use one of our going forward recommendations to do a 6-month trial to run them through as we would now and use a vendor for out of state. Then at the end of 6 months we would see if we really are comfortable with one option over another.

Recommendation 4 is related to education and prevention. The first recommendation is to make information available to organizations working with children on best practices that can be implemented program-wide and to stress the importance of background record checks. We also put in a note about a possible forum to learn about safety. 4.2 is to expand access to Stewards of Children, and 4.3 is to provide information to families to help them understand policies and practices. We could also think about rolling 4.3 into some of what 4.2 might cover. Ms. Culley responded that under 4.2 we should also add personal safety programs, which are targeted at children. We need to teach children and parents safety. Ms. DeRasmo suggested she could have a conversation with Stars and ask them about safety provisions within Stars and how specific they are to some of this information. She could then talk about including them with Stars and asking them about the ability to expand Stars to include things like camps and other types of services. Secretary Ranji responded that Stars works with licensed child care, and camps still

wouldn't be licensed. Licensing is baseline, and Stars is additional levels of quality. If we don't even have the baseline health and safety that licensing requires and then go above that and say we want to impose higher quality standards it may not fit. Mr. Purcell said he likes the education piece. It is important and good for the public. He added he would be willing to work with department on grant funding and offered to Secretary Ranji to let him know how he can help. Ms. Culley asked if there is already an annual forum on child safety. We could find out and see about partnering with them. Mr. Scoglietti said 4.2 points toward specific programs, and he noted we should suggest certain types of trainings and then list Stewards as an example. We could say expand access to evidence-based trainings, including Stewards of Children and Prevent Child Abuse Delaware's personal safety program for children. Secretary Ranji asked if with the change to 4.2 if the group is comfortable with the recommendations for education and prevention. A motion was made and seconded and all voted all in favor.

The next recommendations discussed are fiscal impact and resource allocation. The questions are should we allow charging a fee for background record checks and should we amend the code to permit a fee be charged for CPR checks. Secretary Ranji said 5.1 deals with background checks and 5.2 has to do with CPR checks, which we don't charge for at all right now. For 5.1 employers have to pay, except for child care. Child care is the one group the state covers for the cost of background record checks. For schools employees have to pay for checks, including substitutes. As we make requirements for camps and private schools we could also think about adding child care. Then for CPR checks, it's the only part of the system that doesn't charge right now. The challenge in getting work done isn't just charging for it, but also if you have the people to do it. We may need to look at charging and also being able to contract for staffing. Mr. Kennealey said his preference would be that private schools be treated the same as

public schools with regard to the cost of CPR checks. He suggested the cost, whether who borne by, be done the same. This would speak to the value of protecting children. Secretary Ranji agreed we would need to do it in a way that's fair. Ms. Culley stated the draft should talk about how it's happening now and that we suggest for consistency across the board. She stated she thinks we need to charge for CPR checks. A motion was made and seconded and all voted in favor.

Section 6 of the recommendation is areas for additional exploration. This includes a pilot for third party vendor checks and checks the way they are currently done. The next is to explore and build upon existing employer decision-making protocols and create a template decision-making protocol guide that can be adapted and used across sectors. 6.3 is to look at prohibitions in licensure standards. 6.4 is to review the feasibility of establishing a consolidated background check unit. We could work with long term care to consider if that could be part of the solution. Mr. Mangler said the healthcare sector looked at the model and the problem is federal checks. Checks need to be done and used for a specific purpose. They haven't been able to use their process. A consolidated center would be a one-stop shop to have processing done for various units. Secretary Ranji said the Background Record Check center isn't there yet, and the question is can we build upon it. There would be an added cost to that too. If we're ever going to get to a place of one stop shopping that's how we would have to start out. Ms. Culley requested the recommendation about CPAC be moved to section 6, because that is a recommendation for next steps. Secretary Ranji responded that section 6 would be further exploration by this group. The CPAC one would be a recommendation for others. Secretary Ranji stated she thinks fit with next steps. We will move CPAC down to 6.5 and note that it is not this Task Force that will complete the work. Ms. Culley asked if 6.1 could become what was 6.4 and put CPAC at the top to

differentiate. A motion was made and seconded and all voted in favor.

The group next discussed the term “direct access” to children. DOE defines direct access in part as a person seeking employment with a public school. This is existing language. The group discussed that it may not apply to everyone who could be in a school. Ms. Culley said when it was written legislators were concerned about people currently employed in schools. As long as they were already employed and stayed in that school then they were exempt from background record checks. Secretary Ranji confirmed they were grandfathered in. Ms. Culley suggested taking that phrase out. Secretary Ranji said the real phrase at issue is how broadly to define regular direct access. Mr. Smith provided examples of volunteers in schools. Ms. Sawyer said for child care direct access is opportunity for access to children in the course of ones assigned duties. Mr. Smith said he has opportunities for one on one instruction in the classroom setting as a volunteer. Ms. Culley noted a friend who volunteered in Sussex had to get fingerprinted for occasional volunteering, and her husband had to have clearance to go on a field trip. Mr. Smith said it seems like we would be putting barriers up for people who want to be involved on an occasional basis. The group agreed that “regular” direct access gets to that issue. Ms. DeRasmo added that as we educate about policies and supervision then that should alleviate some of the issue as well. Ms. Rivello added that she has more concern about contracted services than volunteers. To Representative Bolden’s point earlier, those are the kind of people that look for a way in. Ms. Sawyer noted that Mr. Scoglietti shared contract language from state contracts. Anyone who has a conviction of a crime punishable up to one year couldn’t be part of that.

Mr. Kennealey stated his school has three levels of types of volunteers. For example, if someone is selling concessions they do not have to get fingerprinted. If going on an overnight trip then they would. It would be helpful to have that kind of differentiation. He also



acknowledged they struggled with the contractor issue and provided an example of a construction project the school did with 20 subcontractors. The school blocked off part of the building to eliminate access, but it is unlikely that no one on that job site was ever convicted of a crime. He noted a need to be careful how the language is written. Ms. Culley said this discussion came up in the past. Mr. Smith added that having worked in the industry, construction is one of the last places you can work if you've served and are looking for employment. Ms. Culley suggested maybe it might go into the education piece and talking to schools about safety. She added she doesn't think every person that enters a school can have a background record check. Ms. DeRasmo suggested we could ask schools to have a policy to limit direct access. Secretary Ranji suggested we could include a sample at Brendan's offer. Secretary Ranji asked if we agree to leave as this section as is and include information as a sample. We will come back with language about tiered levels of access and then vote next time.

The minutes from the October meeting were reviewed. Karen DeRasmo was at the meeting October meeting. The minutes will be revised to reflect her attendance. A motion was made to approve the minutes with the revision noted. The minutes were approved.

## **5. Next Steps**

Task Force recommendations will continue to be discussed at the December 16<sup>th</sup> meeting.

## **6. Public Comment**

No public comment.

## **7. Adjournment**